

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the Office action dated June 13, 2008 and have amended the application to more clearly set forth aspects of the invention. This Amendment D amends claims 1, 9, 12, 20, and 21.

Claims 1, 3, 9, 11-14, and 20-22 are thus presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

Claim Objections

Claim 9 is objected to for depending from a canceled claim. Claim 9 has been amended so that it depends from independent claim 1. Thus, Applicants respectfully request the withdrawal of the objection to claim 9.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 3, 11, 20, and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,496,206 to Mernyk et al. (Mernyk). Applicants respectfully disagree. None of the cited references disclose or suggest each and every feature claimed in the rejected claims.

Claim 1 is directed to a method for providing thumbnail data associated with icons located in a viewable interface. As amended, claim 1 highlights features of the present invention described in the specification, such as limiting the amount of thumbnail data retrieved and stored in the RAM in the interest of saving system resources. (Application, page 6, lines 16-18). Specifically, amended claim 1 highlights the feature of limiting the amount of thumbnail data that is pre-cached to a pre-determined number of icons, based on an icon that is hovered over (e.g., using a cursor). (Application, page 6, lines 27-29). *As such, the number of icons for which thumbnail data is pre-cached will less than or equal to the number of icons located in the window.*

To this end, the method of claim includes "sensing the presence of an indicator in a vicinity of an icon having associated thumbnail data representative of content of an associated object." The "icon and a plurality of additional icons are located within a viewable interface."

Each of the additional icons have associated thumbnail data representative of content of an associated object. The method includes "rendering a superimposed view of at least a portion of the thumbnail data, the superimposed view rendered in the vicinity of the icon." The method includes "in response to [the] sensing, identifying a predetermined number of the plurality of additional icons based on the locations within the window of the plurality of additional icons relative to said icon" and "in response to [the] identifying, pre-caching thumbnail data only for the identified additional icons."

Mernyk discloses a method of displaying a thumbnail relating to an electronically-stored file in an electronically-stored folder capable of retaining a plurality of files. Mernyk fails to teach or suggest limiting the amount of thumbnail data retrieved to be the lesser of a predetermined number of icons and the total number of icons located in a window. In particular, Mernyk teaches that for a particular folder having files therein "[t]humbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 2, lines 63-65). Moreover, Mernyk teaches away from the pre-caching limits of present invention by *requiring that the number of files for which data is pre-cached to be greater than or equal to the number of displayed icons*. Specifically, Mernyk teaches that for a particular folder having files therein "[a]t least one icon relating to a file retained in the folder is displayed" but "thumbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 3, lines 7-8; col. 2, lines 63-65).

Since Mernyk fails to teach or suggest limiting the number of files for which thumbnail data will be pre-cached, Mernyk fails to teach "identifying a predetermined number of the plurality of additional icons based on the locations within the window of the plurality of additional icons relative to [the indicated] icon" and "pre-caching thumbnail data only for the identified additional icons" as set forth in claim 1. Applicants disagree with the Office's assertion that FIG. 2 illustrates the identifying feature of claim 1. (Office action, page 3). FIG. 2 merely illustrates displaying a thumbnail image for the indicated icon. It does not teach or suggest that any of the other, additional icons are identified.

Furthermore, Applicants disagree with that the language cited by the Office describing FIG. 2 teaches or suggests pre-caching thumbnail data only for the identified additional icons. (Office action, page 3). Specifically, the language cited by the Office states "[w]hen a particular folder having files therein is opened by the user, a corresponding 'cache folder' is created on an

ad-hoc basis. The cache folder is a folder of files of thumbnail data, but each file in the cache folder corresponds to and is associated with a file in the folder which is displayed to the user." (Mernyk, col. 4, lines 40-45). Thus, Mernyk teaches that thumbnail data is cached for each file in being displayed. Thus, Mernyk teaches away from "pre-caching thumbnail data only for the identified additional icons" as recited by claim 1.

As such, Mernyk fails to disclose or suggest each and every limitation of amended claim 1. Applicants submit that the rejection of amended claim 1 should be withdrawn. Amended claim 20 includes limitations similar to those included in amended claim 1. As such, Applicants submit that Mernyk fails to disclose or suggest each and every limitation of amended claim 20. Amended claim 20 is allowable for at least the same reasons that amended claim 1 is allowable. The claims that depend from amended independent claims 1 and 20 are allowable for at least the reasons that the independent claims from which they depend are allowable.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 12-14 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,496,206 to Mernyk et al. (Mernyk) in view of U.S Patent No. 6,750,890 to Sugimoto (Sugimoto). Applicants respectfully disagree. None of the cited references, alone or in combination, disclose or suggest each and every feature claimed in the rejected claims.

Claim 12 has been amended to correctly reflect the arguments made in the prior Amendment C. Specifically, amended claim 12 limits the amount of thumbnail data retrieved to be the lesser of a predetermined number of icons and the total number of icons located in a window. *As such, the number of icons for which thumbnail data is pre-cached will less than or equal to the number of icons located in the window.* Advantageously, the method of claim 12 limits the amount of thumbnail data retrieved and stored in the RAM in the interest of saving system resources. (Application, page 6, lines 16-18).

To this end, the method of amended claim 12 includes "identifying a predetermined maximum number of icons for which thumbnail data will be pre-cached, said predetermined maximum number of icons being independent of the total number of icons located in the window" and "comparing the total number of icons located in the window to the pre-determined maximum number of icons." The method includes "pre-caching the thumbnail data for a

particular number of the plurality of icons located in the window based on said comparing." The "*particular number is the pre-determined maximum number when said predetermined maximum number is less than or equal to the total number.*" The "*particular number is the total number when the predetermined maximum number is greater than said total number.*" The method includes displaying the pre-cached thumbnail data associated with one of the plurality of icons when an indicator is hovered substantially over said icon."

As discussed above, Mernyk fails to teach or suggest limiting the number of icons in the window for which thumbnail data is pre-cached. In fact, Mernyk teaches away from the pre-caching limits of present invention by *requiring that the number of files for which data is pre-cached to be greater than or equal to the number of displayed icons*. Specifically, Mernyk teaches that for a particular folder having files therein "[a]t least one icon relating to a file retained in the folder is displayed" but "thumbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 3, lines 7-8; col. 2, lines 63-65).

Sugimoto fails to cure the deficiencies of Mernyk. As stated by the Office "Sugimoto discloses the maximum number of displayable history information may be *greater than* the number of history information which can be displayed in the auxiliary region and the maximum number of displayable history information is *equal to* the number of history information which can be displayed in the auxiliary region." (emphasis added; Office action, page 5 citing Sugimoto, col. 34, lines 6-12).

As such, Mernyk and Sugimoto, whether read alone or in combination, fail to disclose or suggest each and every limitation of amended claim 12. Applicants submit that the rejection of amended claim 12 should be withdrawn. Claim 21 has also been amended to correctly reflect the arguments made in the prior Amendment C. Thus, amended claim 21 includes limitations similar to those included in amended claim 1. As such, Applicants submit that Mernyk and Sugimoto, whether read alone or in combination, fail to disclose or suggest each and every limitation of amended claim 21. Amended claim 21 is allowable for at least the same reasons that amended claim 12 is allowable. The claims that depend from amended independent claims 12 and 21 are allowable for at least the reasons that the independent claims from which they depend are allowable.

Conclusion

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that claims 1, 3, 9, 11-14, and 20-22 as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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